

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Wireline Competition Bureau Seeks Comment)	WC Docket No. 10-90
on Areas Shown as Unserved on the National)	
Broadband Map for Connect America Phase I)	
Incremental Support)	

To: Chief, Wireline Competition Bureau

**COMMENTS OF CLOUD ALLIANCE, LLC
IN RESPONSE TO PUBLIC NOTICE**

Cloud Alliance, LLC (“Cloud”), by its attorneys and pursuant to Sections 1.415 and 1.419, hereby submits these Comments in response to the December 5, 2012 Public Notice of the Wireline Competition Bureau (“Bureau”) in the above-referenced docket (the “*Public Notice*”).¹ The *Public Notice* seeks input on the list of potentially unserved census blocks in price cap territories (the “Unserved List”), with “unserved” meaning “completely or partially unserved by fixed terrestrial broadband with advertised speeds of 3 Mbps downstream and 768 kbps upstream.”² Cloud provides the following information regarding certain census blocks that are currently included in the Unserved List, but which Cloud believes should be considered “served” and thus removed from the list and thereby deemed ineligible for CAF funding.

I. The Unserved List Understates Cloud’s Coverage of Certain Census Blocks.

Cloud is a local wireless internet service provider (“WISP”) in rural, northern Vermont. Cloud constructs and provides terrestrial broadband service in portions of Washington, Lamoille,

¹ Public Notice, *Wireline Competition Bureau Seeks Comment on Areas Shows as Unserved on the National Broadband Map for Connect America Phase I Incremental Support*, DA 12-1961 (rel. Dec. 5, 2012). See also Public Notice, *Wireline Competition Bureau Updates the List of Potentially Unserved Census Blocks in Price Cap Areas and Extends the Deadline for Comment on the List*, DA 12-2001 (rel. Dec. 10, 2012).

² *Public Notice* at 1.

Caledonia, and Orleans counties. *See Attachment A* to Declaration of Brian Webster (representing Cloud's wireless broadband coverage); *see also Attachment B* to Declaration of Brian Webster (representing the census blocks where Cloud provides coverage).

In responding to the *Public Notice*, Cloud compared the Unserved List with the list of census blocks that it serves. In accordance with the Bureau's instructions,³ Cloud is providing herein information about census blocks that Cloud believes should be removed from the Unserved List. These census blocks are depicted in *Attachment C* to the Declaration of Brian Webster. In *Attachment C*, all the census blocks shown (whether in tan or light blue) are served by Cloud's terrestrial broadband service with speeds exceeding the 3 Mbps/768 Kbps standard. Those blocks in light blue, however, are included in the Unserved List, despite the fact that they are served by Cloud. These census blocks are also listed by block number in *Attachment D* to the Declaration of Brian Webster.

As noted in the attached declaration, Cloud has provided information about its broadband service to the Vermont Center for Geographic Information ("VCGI"), the body in charge of broadband mapping for Vermont. Cloud believes that it has complied with all of VCGI's requests for information in connection with the National Broadband Map, and expects that updated information will be reflected in the June 2012 (Round 6) version and subsequent versions.⁴ Cloud also has consistently timely filed FCC Form 477.

Consideration of this information is critical to the accuracy of data concerning the availability of fixed terrestrial broadband service in the affected census blocks. While some of

³ *See Public Notice* at 2.

⁴ If appropriate, Cloud will supplement the record in this proceeding to reflect additional build-out and/or to show the effects on subsequent versions of the National Broadband Map.

these census blocks may have been unserved at the time of publication of the December 2011 National Broadband Map, they are presently served by Cloud's terrestrial broadband service.⁵

II. The "Unserved" Census Blocks That Cloud Serves Should be Removed from the Unserved List.

As demonstrated by the information set forth above and in the attachments, certain census blocks currently included on the "Unserved List" are, in fact, presently receiving fixed terrestrial broadband service from Cloud. Those specific census blocks are depicted in Attachment C and listed in Attachment D. Cloud has diligently provided information about the implementation of its service to the relevant state mapping entity. Cloud respectfully asks that the Bureau remove the referenced census blocks from the Unserved List and declare these census blocks ineligible for CAF funding.

Respectfully submitted,

Cloud Alliance, LLC

By: /s/
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F. Scott Pippin

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January 9, 2013

Its Attorneys

⁵ See *Public Notice* at 2, n.2 ("[T]here may . . . be subsequent updates that commenters have already relayed to their state mapping entities (*e.g.*, a census block was unserved in 2011, but has since become served).")

Declaration of Brian Webster

My name is Brian Webster and I am the owner of Wireless Mapping Inc, a mapping consulting firm. In addition to performing wireless mapping services for commercial entities, I also serve as data coordinator at The Partnership for a Connected Illinois, the National Broadband Map mapping contractor for the State of Illinois. I hereby certify under penalty of perjury that the following is true and correct to the best of my knowledge, information and belief.

1. I was engaged by Cloud Alliance LLC ("Cloud"), a wireless Internet service provider in Vermont, to assist in reviewing the list of unserved census blocks provided in the FCC's December 10, 2012 Public Notice. I was provided with a "shape file," which is a representation of Cloud's wireless coverage (shown in green on Attachment A). This map generated from the shapefile that was created from RF propagation studies using tower information that Cloud submitted to a subcontractor to the Vermont Center for Geographic Information ("VCGI"), the primary contractor under the State Broadband Data Initiative. This map includes data that Cloud submitted for the Round 6 (June 2012) version of the National Broadband Map.

2. Using this RF coverage data shapefile, I selected the census blocks that touch where Cloud provides its broadband service. This is shown in Attachment B. I then compared the Cloud served census blocks to the list of census blocks in the FCC's December 10, 2012 Public Notice to determine which census blocks match. The result is a list of census blocks from the round 6 mapping data that are either partially or fully served and in conflict with the FCC published list from the round 5 data.

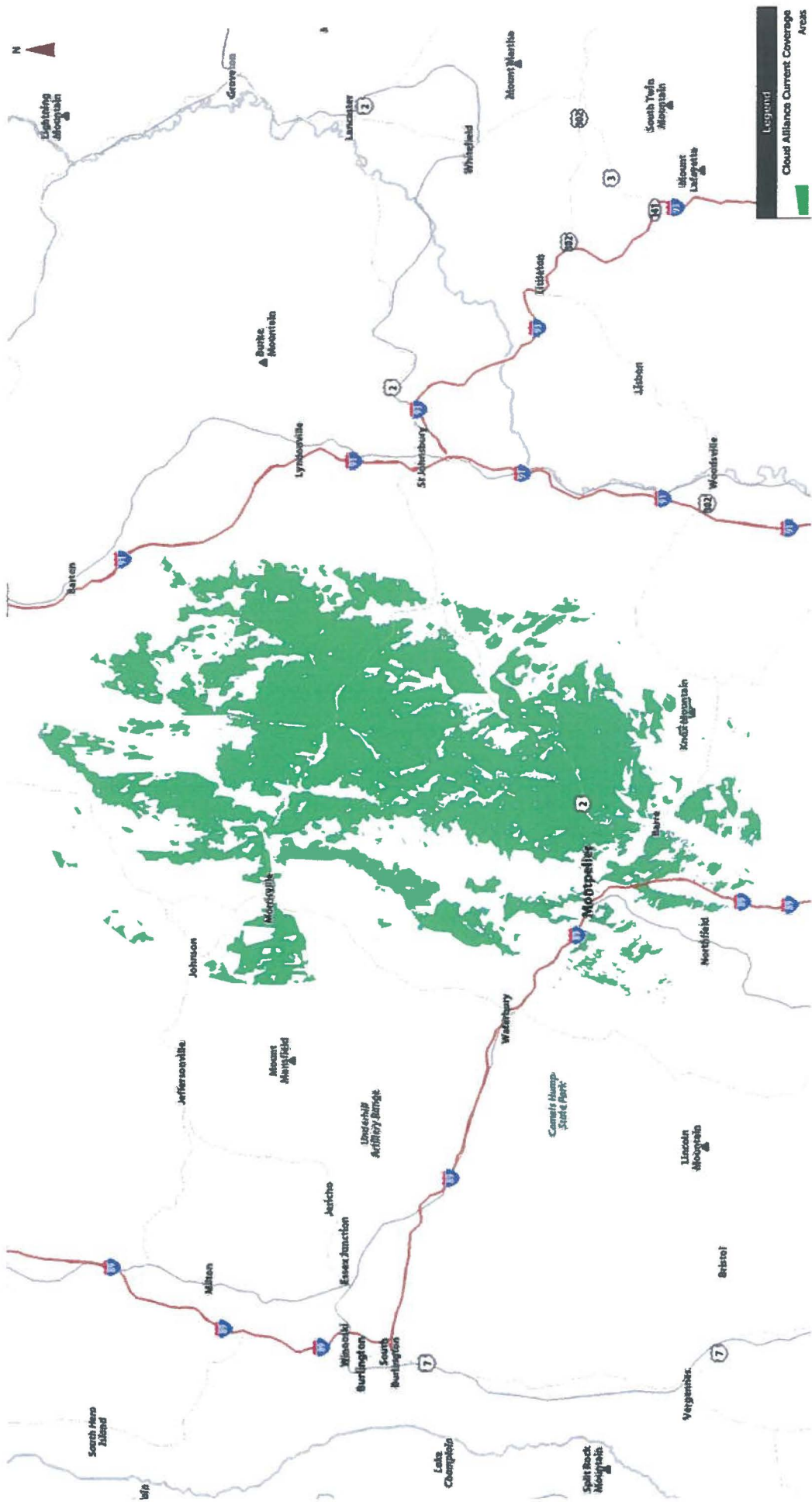
3. The output of this comparison is shown in Attachment C, which depicts in light blue the census blocks shown in the Public Notice to be "unserved" but which are actually served by Cloud. A list of these census blocks is contained in Attachment D.

Signed,

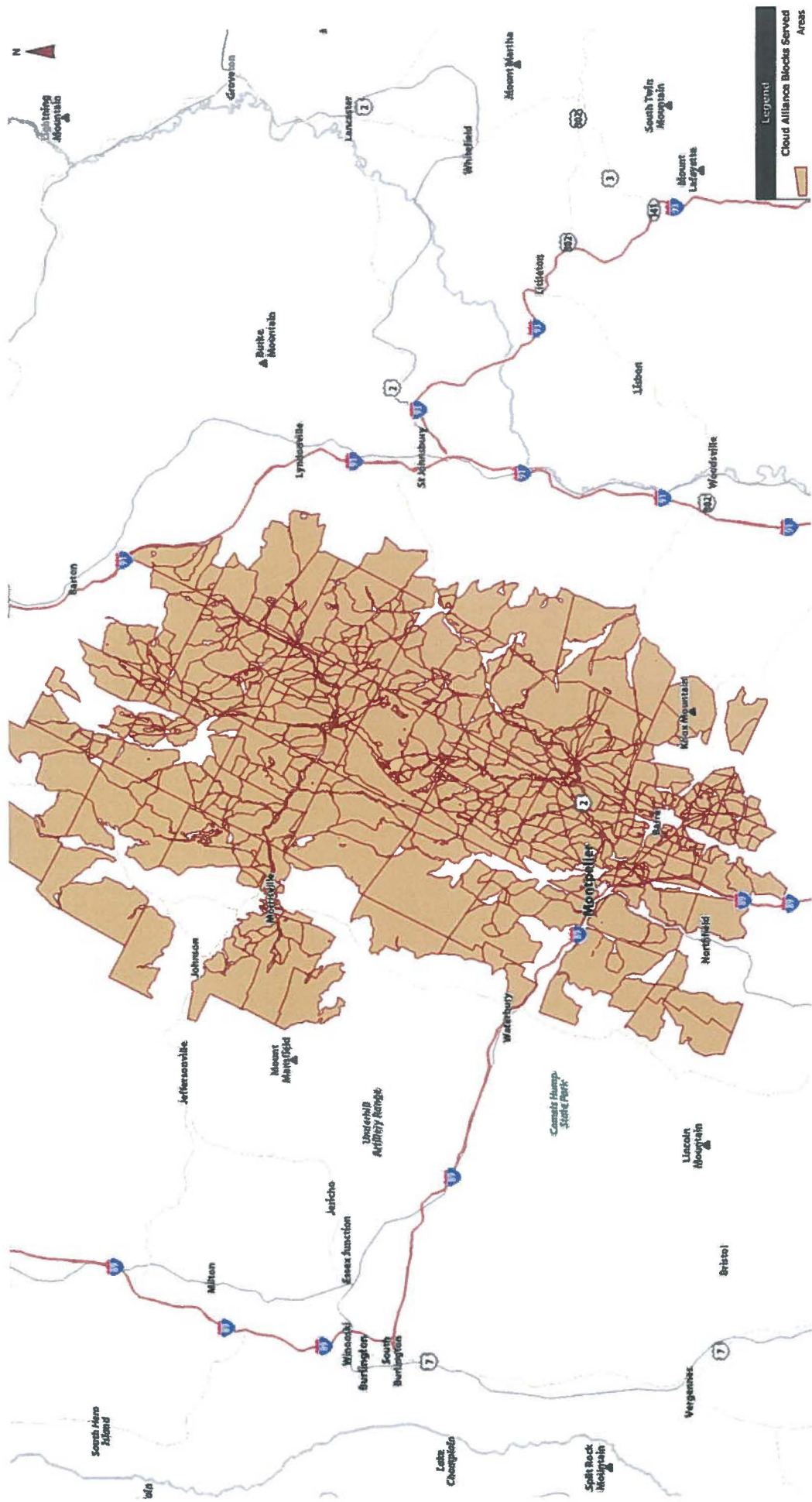
A handwritten signature in black ink that reads "Brian Webster". The signature is written in a cursive, flowing style.

Brian Webster
President
Wireless Mapping, Inc.
January 9, 2013

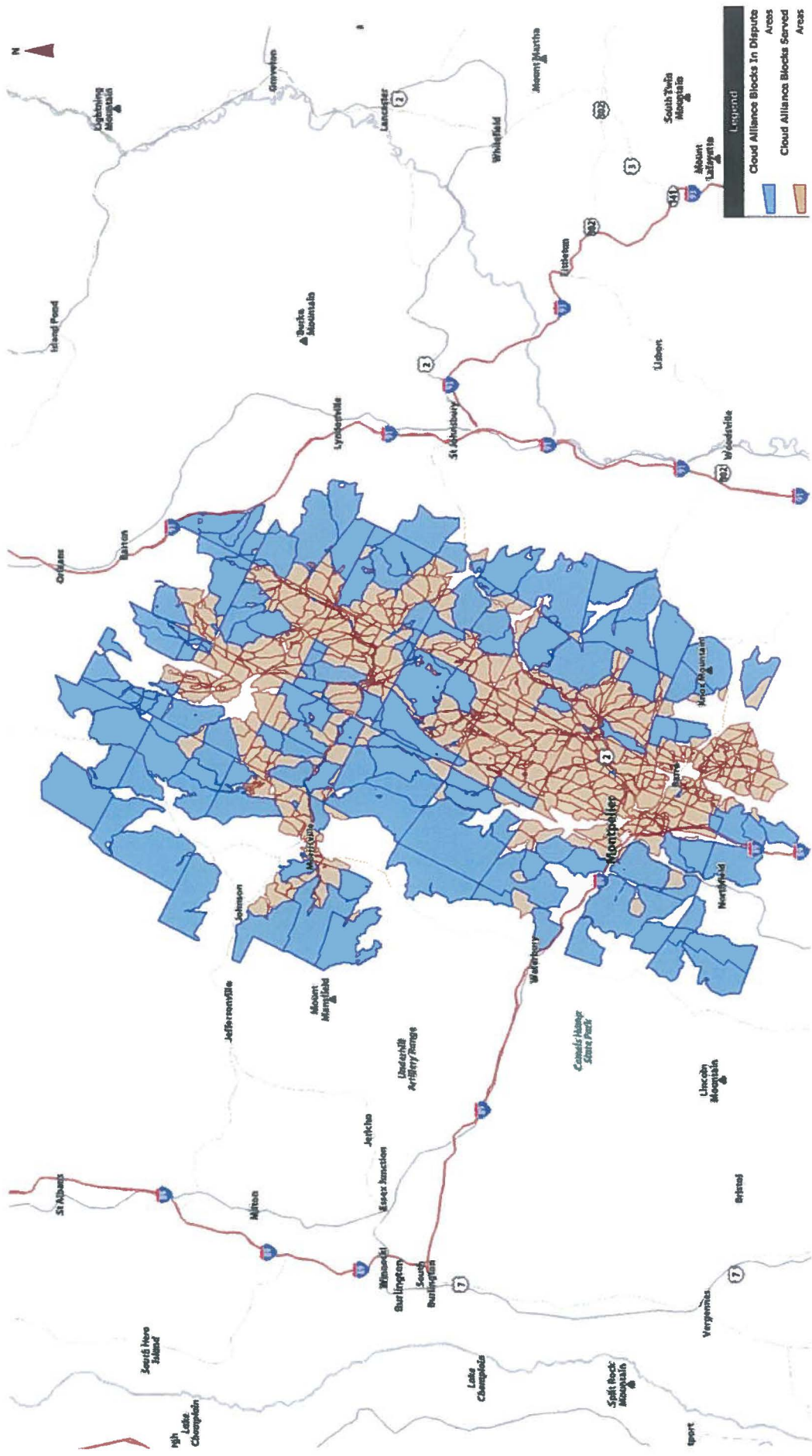
ATTACHMENT A



ATTACHMENT B



ATTACHMENT C



ATTACHMENT D

block_fips

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CERTIFICATE OF SERVICE

I, Genevieve F. Edmonds, hereby certify that on this 9th day of January 2013, I caused a true and correct copy of the foregoing Comments of Cloud Alliance, LLC in Response to Public Notice to be served on the following by first class mail, postage prepaid.

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